

REMARKS

Claims 1-29 are pending in the present patent application. Claims 1-12, 28, and 29 stand rejected; and claim 9 stands objected to. Claims 13-27 have been withdrawn from consideration. By this amendment, claims 1, 5, 6, 8, and 9 have been amended, and claims 3 and 4 have been canceled. This application now includes claims 1, 2, and 5-29.

The Examiner objected to claim 9 as having no antecedent basis for “said secured compartment,” and suggested that claim 9 should read, in pertinent part, “a secured compartment.” Applicant has amended claim 9 in consideration of the Examiner’s suggestion, and accordingly respectfully requests that the objection to claim 9 be withdrawn.

Claims 1-4 and 8 were rejected under 35 U.S.C. §102(e) as being anticipated by Nagata, U.S. Patent No. 6,798,995 B2. Applicant has incorporated the subject matter of claims 3 and 4 into claim 1, and canceled claims 3 and 4. Applicant respectfully requests reconsideration of the rejection of claims 1, 2 and 8 in view of the following.

Nagata is directed to managing, dispatching and replacing image forming devices, such as copying machines and printers, which need toner, ink, or other consumables (col. 1, lines 11-14). Machines are managed based on unique information that identifies the machines, and tells which machine has been delivered to which service receiver (col. 2, lines 45-49). When the remaining amount of a consumable article has reached a specified value, the whole machine is replaced (col. 3, lines 54-56). If unregistered information is received, it can be determined that the machine is illegal, e.g., pirated (col. 6, lines 36-39).

Nagata discloses an embodiment wherein a service provider 10 provides a service to a contract signer 1, and delivers machine 2 (an image forming apparatus) to the contract signer 1 (col. 11, lines 31-39). Machine 2 is equipped with an ink container unit 6 as a consumable article. Service personnel of service provider 10 deliver machine 2 to contract

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signer 1 (col. 15, lines 17-18). When the ink is detected via a network as becoming near-empty, a replacement is dispatched, and service provider 10 collects the machine for recycling (col. 17, lines 4-41).

Applicant believes that claims 1, 2 and 8 patentably define Applicant's invention over Nagata for at least the reasons set forth below.

Amended claim 1 is directed to a method for facilitating printing. Amended claim 1 recites, among other things, providing to a consumer a first printer containing a fixed amount of imaging substance, wherein said imaging substance is contained in a reservoir; and configuring said first printer to restrict access to said reservoir to authorized personnel.

Nagata does not disclose, teach, or suggest configuring a first printer to restrict access to the reservoir to authorized personnel. Access may be restricted, for example, by containing all internal parts of the printer in a secured compartment, for example, that is not readily separable from the printer base without the use of specialized tools or extraordinary measures (see Applicant's specification from page 6, line 24 to page 7, line 8).

Although Nagata discloses encrypting data for security purposes, such encryption pertains to securing electronic data, and does not disclose, teach, or suggest restricting access to a reservoir within the context of Applicant's claimed invention.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata does not disclose, teach, or suggest the subject matter of claim 1. Claim 1 is thus believed allowable in its present form.

Claims 2 and 8 are believed allowable due to their dependence on otherwise allowable base claim 1. In addition, claims 2 and 8 further and patentably define the invention over Nagata.

For example, amended claim 8 is directed to the method of claim 1, wherein said first printer is an ink jet printer including a printing mechanism, said method further comprising the step configuring said ink jet printer to restrict access to said printing mechanism and said reservoir.

For substantially the same reasons as set forth above with respect to claim 1, Nagata does not disclose, teach, or suggest restricting access to the printing mechanism and the reservoir.

Accordingly, claim 8 is believed allowable in its own right.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata does not disclose, teach, or suggest the subject matter of claims 1, 2 and 8, and thus respectfully request that the rejection of claims 1, 2, and 8 under 35 U.S.C. 102(e) be withdrawn.

Claims 5-7 and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nagata in view of Chickneas, et al., U.S. Patent No. 4,813,912 (hereinafter, Chickneas). Applicant respectfully requests reconsideration of the rejection of claims 5-7 and 9 in view of the following.

Chickneas is directed to a tamper prevention device and method for securing a printhead utilized for the printing of indicia in a value printing system, such as a postal mailing machine (col. 1, lines 8-11). Chickneas discloses an inkjet printer module 56 (col. 7, lines 45-47) that prints a postal indicia 18 on a document (col. 10, lines 44-46). In order that each postal indicia 18 is accounted for, it is necessary to provide a means to insure that Module 56 is protected, or secured, against unauthorized operation, or tampering, including both invasive and noninvasive tampering (col. 10, lines 46-51).

Invasive tampering involves a physical attempt to gain access to directly activate components to fraudulently print postage indicia (col. 10, lines 52-56). Noninvasive

tampering involves seeking to externally stimulate module 56 to print postage indicia (col. 10, lines 56-59).

Module 56 may take the form of a self-contained assembly wherein the inkjet drivers and latches 116 and deflection plates 118 have an electronics module 200 affixed thereto (col. 12, lines 57-61). Module 200 contains a CPU 110, DEMUX 112, and tamper latch 114 disposed on a printed circuit board (col. 12, lines 61-66). Module 200 is filled with an epoxy-based potting material having a continuous sensor means embedded therein to protect the module 200 devices from tampering (col. 13, lines 3-14).

Applicant believes that claims 5-7 and 9 patentably define Applicant's invention over Nagata in view of Chickneas for at least the reasons set forth below.

Amended claim 5 is directed to the method of claim 1, further comprising the step of providing in said first printer a secured compartment containing said reservoir to restrict access to said reservoir.

As set forth above with respect to claim 1, Nagata does not disclose, teach, or suggest the subject matter of claim 1. For example, Nagata does not disclose, teach, or suggest providing in the first printer a secured compartment containing the reservoir to restrict access to the reservoir, as recited in claim 1. Applicant respectfully submits that Chickneas does not overcome the deficiency of Nagata as applied to claim 1, nor does the Examiner assert as much. Rather, the Examiner relies on Chickneas for the asserted teaching of using a secure compartment to protect a printing mechanism.

Accordingly, claim 5 is believed allowable due to its dependence on otherwise allowable base claim 1.

In addition, Nagata does not disclose, teach, or suggest providing in the first printer a secured compartment containing the reservoir to restrict access to the reservoir, as acknowledged by the Examiner.

Although Chickneas discloses filling module 200 with an epoxy-based potting material having a continuous sensor means embedded therein to protect the module 200 devices from tampering (col. 13, lines 3-14), Chickneas does not disclose, teach, or suggest that an ink reservoir is contained within module 200.

Rather, Chickneas discloses that module 200 contains a CPU 110, DEMUX 112, and tamper latch 114 disposed on a printed circuit board (col. 12, lines 61-66). The Chickneas epoxy-based potting material is intended to protect those components from invasive or noninvasive tampering that seeks to activate the printing system to fraudulently print postage indicia (col. 10, lines 52-59). However, protecting electronic components from tampering does not disclose, teach, or suggest providing in the first printer a secured compartment containing the reservoir to restrict access to the reservoir, as recited in claim 5.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata in view of Chickneas, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 5. Claim 5 is thus believed allowable in its present form.

Amended claim 6 is directed to the method of claim 1, further comprising the step of providing in said first printer a secured compartment containing a printing mechanism and said reservoir, said secured compartment restricting access to said printing mechanism and said reservoir.

Nagata in view of Chickneas do not disclose, teach, or suggest providing in the first printer a secured compartment containing a printing mechanism and the reservoir, the secured compartment restricting access to the printing mechanism and the reservoir for substantially the same reasons as set forth above with respect to claim 5.

Accordingly, claim 6 is believed allowable in its present form.

In addition, claim 6 is believed allowable due to its dependence on otherwise allowable base claim 1.

Claim 7 is directed to the method of claim 6, further comprising the step of communicating print data to said printing mechanism in said secured compartment.

Claim 7 is believed allowable due to its dependence on otherwise allowable base claim 1 and/or intervening claim 6.

Claim 9 is directed to the method of claim 8, further comprising the step of communicating print data to said printing mechanism in said a secured compartment containing said printing mechanism and said reservoir.

Nagata in view of Chickneas do not disclose, teach, or suggest communicating print data to the printing mechanism in a secured compartment containing the printing mechanism and the reservoir for substantially the same reasons as set forth above with respect to claim 5.

Accordingly, claim 9 is believed allowable in its present form.

In addition, claim 9 is believed allowable due to its dependence on otherwise allowable base claim 1 and/or intervening claim 8.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata in view of Chickneas, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claims 5-7 and 9, and thus respectfully request that the rejection of claims 5-7 and 9 under 35 U.S.C. 103(a) be withdrawn.

Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Nagata in view of Hiramatsu, et al., U.S. Patent No. 5,416,395 (hereinafter, Hiramatsu). Applicant respectfully requests reconsideration of the rejection of claim 10 in view of the following.

Hiramatsu is directed to a serial type recording apparatus (col. 1, lines 7-8), and to drive a carriage with high accuracy by switching a mode between closed-loop drive and stepwise motor control (col. 4, lines 19-21). Hiramatsu discloses that the invention is very effective in recording apparatuses which are operated not only in a single recording mode to print a principal color, but also in a mode of producing composite colors (col. 22, lines 24-38).

Applicant believes that claim 10 patentably defines Applicant's invention over Nagata in view of Hiramatsu for at least the reasons set forth below.

Claim 10 is directed to the method of claim 1, further comprising the step of configuring the first printer to operate only in a single printing mode.

Nagata does not disclose, teach, or suggest configuring the first printer to operate only in a single printing mode, as acknowledged by the Examiner.

In addition, as set forth above with respect to claim 1, Nagata does not disclose, teach, or suggest the subject matter of claim 1. Applicant respectfully submits that Hiramatsu does not overcome the deficiency of Nagata as applied to claim 1, nor does the Examiner assert as much. Rather, the Examiner relies on Hiramatsu for the asserted teaching of operating an inkjet printer in a single printing mode.

Accordingly, claim 10 is believed allowable due to its dependence on otherwise allowable base claim 1.

Regarding Hiramatsu, in contrast to configuring the first printer to operate only in a single printing mode, as recited in claim 10, Hiramatsu discloses that that the invention is very effective in recording apparatuses which are operated not only in a single recording mode to print a principal color, but also in a mode of producing composite colors (col. 22, lines 24-38).

Thus, the Hiramatsu recording apparatus may be operated in at least two operating modes, as opposed to being configured to operate only in a single printing mode, as recited in claim 10.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata in view of Hiramatsu, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 10. Claim 10 is thus believed allowable in its present form, and Applicant thus respectfully requests that the rejection of claim 10 under 35 U.S.C. 103(a) be withdrawn.

Claims 11 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nagata in view of Buibas, et al., U.S. Patent No. 6,827,419 (hereinafter, Buibas). Applicant respectfully requests reconsideration of the rejection of claims 11 and 12 in view of the following.

Buibas is directed to aligning media for printing on a printer (col. 1, lines 5-6). Buibas discloses a prior art method of performing alignment for paper, but that such method is not suitable when costs of the media are high, such as compact disk (CD), digital video disk (DVD), and video compact disk (VCD) (col. 1, lines 16-41). The Buibas disclosed implementation is for printing on round media, such as CDs, DVDs, and VCDs, but may be used for other media (col. 2, lines 19-23). Buibas defines that the term “media” includes round media as well as other media shapes and formats (col. 2, lines 23-27).

Applicant believes that claim 11 patentably defines Applicant’s invention over Nagata in view of Buibas for at least the reasons set forth below.

Claim 11 is directed to method of claim 1, further comprising the step of configuring said first printer to use only a single print media type.

Nagata does not disclose, teach, or suggest configuring the first printer to use only a single print media type, as acknowledged by the Examiner.

Further, as set forth above with respect to claim 1, Nagata does not disclose, teach, or suggest the subject matter of claim 1. Applicant respectfully submits that Buibas does not overcome the deficiency of Nagata as applied to claim 1, nor does the Examiner assert as much. Rather, the Examiner relies on Buibas for the asserted teaching of the first printer being configured to operate on only a single media type of a single size.

Accordingly, claim 11 is believed allowable due to its dependence on otherwise allowable base claim 1.

Regarding Buibas, in contrast to configuring the first printer to use only a single print media type, as recited in claim 11, the Buibas disclosed implementation is for printing on round media, such as CDs, DVDs, and VCDs, but may be used for other media. (col. 2, lines 19-23). Thus, Buibas discloses more than one media type, e.g., CDs, DVDs, and VCDs. In addition, Buibas defines that the term “media” includes round media as well as other media shapes and formats (col. 2, lines 23-27). Consequently, Buibas discloses printing on more than one print media type.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata in view of Buibas, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 11.

Claim 12 is directed to the method of claim 1, further comprising the step of configuring said first printer to use only a single print media size.

Nagata does not disclose, teach, or suggest configuring the first printer to use only a single print media size, as acknowledged by the Examiner.

Further, as set forth above with respect to claim 1, Nagata does not disclose, teach, or suggest the subject matter of claim 1. Applicant respectfully submits that Buibas does

not overcome the deficiency of Nagata as applied to claim 1, nor does the Examiner assert as much. Rather, the Examiner relies on Buibas for the asserted teaching of the first printer being configured to operate on only a single media type of a single size.

Accordingly, claim 12 is believed allowable due to its dependence on otherwise allowable base claim 1.

Regarding Buibas, in contrast to configuring the first printer to use only a single print media size, as recited in claim 12, Buibas defines that the term “media” includes round media as well as other media shapes and formats (col. 2, lines 23-27). Although the Buibas Fig. 1 depicts a round media in the form of CDs, DVDs, and VCDs, Buibas does not disclose, teach, or suggest the size of the round media, or that the Buibas apparatus is configured to use only one size of the round media. It is well known in the art that such disks are commercially available in different sizes, e.g., 3 inch disks and 5 inch disks. However, the Buibas disclosure does not limit the size of the disk to one particular size.

Accordingly, Buibas does not disclose, teach, or suggest configuring the first printer to use only a single print media size.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata in view of Buibas, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 12.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata in view of Buibas, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claims 11 and 12. Claims 11 and 12 are thus believed allowable in their present respective forms, and Applicant thus respectfully requests that the rejection of claims 11 and 12 under 35 U.S.C. 103(a) be withdrawn.

Claims 28 and 29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nagata in view of Takemoto, et al., U.S. Patent No. 6,512,894 (hereinafter,

Takemoto) and Chickneas. Applicant respectfully requests reconsideration of the rejection of claims 28 and 29 in view of the following.

Takemoto is directed to an image forming apparatus (col. 1, lines 9-10). Takemoto discloses an image forming apparatus having an image forming means that has a detachable process cartridge having identification information (col. 12, lines 34-38). The image forming apparatus also includes an identification information reading means for reading the identification information of the process cartridge, a network connecting means, and a control means that compares the identification information with a license presence/absence judgment information to judge whether the process cartridge is licensed or not (col. 12, lines 38-47). The comparison may be done in the imaging apparatus or on a server via the network (col. 14, lines 37-48).

Applicant believes that claims 28 and 29 patentably define Applicant's invention over Takemoto for at least the reasons set forth below.

Claim 28 is directed to a method for facilitating imaging. Claim 28 recites, in part, providing to a consumer a first recyclable imaging apparatus having a secured compartment containing a reservoir containing an initial amount of imaging substance, said secured compartment restricting access to said reservoir, said initial amount of imaging substance including a licensed amount of imaging substance and a surplus amount of imaging substance.

For substantially the same reasons as set forth above with respect to claims 1 and 5, Nagata and Chickneas, taken alone or in combination, do not disclose, teach, or suggest providing to a consumer a first recyclable imaging apparatus having a secured compartment containing a reservoir containing an initial amount of imaging substance, said secured compartment restricting access to said reservoir, as recited in claim 28.

In addition, Takemoto does not disclose, teach, or suggest providing to a consumer a first recyclable imaging apparatus having a secured compartment containing a reservoir containing an initial amount of imaging substance, and nor does the Examiner assert as much. Rather, the Examiner relies on Takemoto for the assertion pertaining to providing a licensed amount and a surplus amount. Also, the Takemoto cartridge is detachable and exchangeable (col. 30, lines 25-26 and lines 55-58), and accordingly, access to it is not restricted.

Further, as acknowledged by the Examiner, Nagata does not disclose, teach, or suggest the initial amount of imaging substance including a licensed amount of imaging substance and a surplus amount of imaging substance, as recited in claim 28. Chickneas also does not disclose, teach, or suggest the initial amount of imaging substance including a licensed amount of imaging substance and a surplus amount of imaging substance, as recited in claim 28, and nor does the Examiner assert as much. Rather, the Examiner relies on Chickneas for the asserted teaching of a secure compartment to protect a printing mechanism from tampering.

Regarding Takemoto, in contrast to the initial amount of imaging substance including a licensed amount of imaging substance and a surplus amount of imaging substance, as recited in claim 28, Takemoto discloses determining whether a license is available for the cartridge or not (col. 25, lines 22-37). If not, the user is offered the opportunity to pay a fee, and if not, is offered to pay a fee two months later or otherwise asked to accept that some functions will be restricted (col. 25, line 38 to col. 26, line 46).

In one disclosed embodiment that includes wherein functions will be restricted, Takemoto discloses that printer operation is allowed without a license until 30% remaining toner is detected, and operation of the printer is stopped, and the user is warned to get a license immediately or exchange the cartridge (col. 27, lines 22-48).

Thus, in contrast the initial amount of imaging substance including a licensed amount of imaging substance and a surplus amount of imaging substance, as recited in claim 28, Takemoto discloses that 70% of the toner supply may be used without a license, whereas with a license, 100% of the toner supply may be used.

In other words, Takemoto discloses a licensed amount of 100% toner, a portion of which may be used prior to obtaining the license, e.g., 70%. Takemoto simply does not disclose, teach, or suggest a supplemental amount of toner beyond the licensed amount of 100% toner. Thus, there is no surplus amount of toner in the Takemoto cartridge that is additional to the licensed amount, e.g., an amount of toner in excess of 100%, such as might constitute the initial amount of imaging substance including a licensed amount of imaging substance and a surplus amount of imaging substance, as recited in claim 28.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata in view of Takemoto and Chickneas, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 28.

Claim 29 is directed to method of claim 28. Claim 29 recites receiving from said consumer said first recyclable imaging apparatus after a substantial portion of said surplus amount of imaging substance has been used; and exchanging said first recyclable imaging apparatus with a second recyclable imaging apparatus.

Claim 29 is believed allowable due to its dependence on otherwise allowable base claim 28.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata in view of Takemoto and Chickneas, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claims 28 and 29. Claims 28 and 29 are thus believed allowable in their present respective forms, and Applicant thus respectfully requests that the rejection of claims 28 and 29 under 35 U.S.C. 103(a) be withdrawn.

For the foregoing reasons, Applicant submits that no combination of the cited references teaches, discloses or suggests the subject matter of the appended elected claims.

The appended elected claims are therefore in condition for allowance, and Applicant respectfully requests withdrawal of all rejections and objection, and allowance of the appended elected claims.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally petitions therefor and authorizes that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (317) 894-0801.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: June 22, 2005.

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Date